

## IF HUMAN REMAINS ARE DISCOVERED:

- 1) Cease all activity at the site and immediately call the County Coroner.
- 2) The coroner may seize the remains if a criminal inquiry or inquest is warranted.
- 3) If the coroner determines a coroner's inquiry or inquest is not warranted, the coroner shall call the State Historic Preservation Office, Stan Wilmoth, at (406) 444-7719 within 24 hours. If the State Historic Preservation Office can not be contacted the coroner will call the nearest member of the State Burial Board or law enforcement at the nearest Indian reservation.

Montana Code Annotated, Sections 22-3-801 thru 811, MCA recognizes the possible need for forensic examination when the coroner determines the burial site may be a possible crime scene. Burial sites and human remains must be protected and preserved in place regardless of ethnic origin, burial context or age of burial site unless there is suspicion of a crime scene or the State Burial Board has made another finding.

All burial sites must be avoided (not physically disturbed) as a matter of law. Montana Code Annotated, Title 46, chapter 4 (authority of coroners) does not compel removal of human remains just for documentation of ethnicity or age or other study. Removal or disturbance of human remains other than in a coroner's inquiry/inquest should occur only after other alternatives (primarily preservation in place) have been considered by the Burial Preservation Board.

More information may be obtained at:

Montana Code Annotated Sections 22-3-801 thru 811

Administrative Rules of Montana 2.65.101 through 108

State Historic Preservation Office, Stan Wilmoth, 444-7719; or [swilmoth@mt.gov](mailto:swilmoth@mt.gov)

Department of Administration, Dal Smilie 444-3310; or [dsmilie@mt.gov](mailto:dsmilie@mt.gov)

Office of Indian Affairs, Reno Charette, 444-3702; or [rcharette@mt.gov](mailto:rcharette@mt.gov)